

APR 19 2007

REMARKS

Applicant's counsel thanks the Examiner for the careful consideration of the application. In the Office Action Summary, it is stated that claims 1-8 are pending in the application. However, in the Response to the previous Office Action dated July 17, 2006, Applicant amended claims 1-8, cancelled claim 9, and added new claims 10-23. Thus it is submitted that the present application contains claims 1-8 and 10-23. Applicant respectfully requests reconsideration of this Office Action.

Claim Rejections 35 USC §103

The Examiner has rejected claims 1-8 under 35 USC 103(a) as being unpatentable over Kevner (US Patent No. 5,956,509) in view of Logston et al. (US Patent Application Publication 2002/0032754), hereinafter referred to as Logston.

The Examiner has stated: "Kevner doesn't expressly disclose wherein the portions are incrementally loaded and executed on the server computer in response to the code and parameter ... However, Logston in analogous art and similar configuration discloses ...".

Applicant submits that the above "wherein" clause was removed from claim 1 in the Response to the previous Office Action.

The Examiner has acknowledged that Kevner does not disclose the limitations of "(the at least one server including) a memory ..., means for receiving ..., means for loading into the memory ..., means for executing the initial server component portion loaded into the memory ..., means for receiving ..., means for loading into the memory ..., and means for executing the subsequent server component portion loaded into the memory ...". Instead, the Examiner has stated that Logston discloses associated client and server portions which are loaded and executed incrementally (Paragraph [0078] of Logston) as well as inter communication between server and client portions and to obtain and transmit utilizing a server storage device (col. 12, claim 21 of Logston).

Paragraphs [0077]-[0079] and Fig. 6 of Logston disclose DASP "direct" and "indirect" methods by which a DACP is downloaded to a client device. In the direct download case, after the designated pieces of the client portion have been downloaded (to the client) in step 606, the server portion checks for the functionality of the client portion in step 608 based on a started message or other acknowledgement received from a client (Paragraphs [0059] and [0078] of Logston). If the started message or other acknowledgement is received, the download of further pieces of the DA is ceased per step 618. If not,

the download of further components is continued per step 612 until client functionality is achieved per step 618 (Paragraph [0078] of Logston). If the DACP is not functional, then a next component is downloaded to the client (Paragraph [0078] and Figs. 3 and 6).

Claim 21 of Logston states: "said at least client portion is adapted, when moved to said client device ..."

Claim 21 of Logston indicates that the at least client portion is moved to the client.

Accordingly, Logston downloads components to a client until the DACP is functional. By contrast, according to claim 1, a server includes (1) means for loading into a memory (of the server) the initial server component portion and (2) means for executing the initial server component portion loaded into the memory (of the server) to provide the initial function to the client. The server of claim 1 further includes (1) means for loading into the memory (of the server) the subsequent server component portion and (2) means for executing the subsequent server component portion loaded into the memory (of the server) to provide the subsequent function to the client. Logston fails to disclose or suggest these elements in claim 1.

With respect to the rejection to claim 2, the Examiner has referred to claim 21 of Logston.

Claim 21 of Logston states: "said at least client portion is adapted, when moved to said client device ..."

As discussed above, claim 21 of Logston indicates that the at least client portion is moved to the client, and does not suggest or teach "one portion of the plurality of server component portions is a compact portion loaded and executed on the at least one server computer ...".

With respect to the rejection to claim 3, the Examiner has referred to col. 16, lines 45 to 60 of Kevner and also referred to claim 21 of Logston, regarding "the at least one server computer comprising a server processor and a memory for executing a server component, executing an applicable additional portion of the plurality of portions of the server application component for each request received from the client component for an application function not available from any running portion or portions of the server component" and "running all executed portions until an end session command is received".

It is noted that in the Response to the previous Office Action, claim 3 has been amended, resulting in that the present claim 3 does not include the above limitations of "executing an applicable additional portion of the plurality of portions of the server application component for each request received from the client component for an application function not available from any running portion or portions of the server component" and "running all executed portions until an end session command is received".

Claim 4 depends on claim 3, and contains features corresponding to those of claim 2. Claim 5 is a system claim and contains features similar to those of claim 3. Claim 5 recites a module for loading and

executing, on the server computer, an appropriate server component portion ... upon an initial request from the client component for an application function, ... a module for loading and executing, on the server computer, an additional appropriate server component portion ... for an additional request from the client component for an additional function. None of the cited references taken alone or combination thereof suggests or teaches these features in claim 5. Claim 6 depends on claim 5, and contains features corresponding to those of claim 2. Claim 7 is a storage medium claim corresponding to claim 5. Claim 8 depends on claim 7, and contains features corresponding to those of claim 2

Hence it is respectfully submitted that claims 1-8 are patentable in view of the cited references.

Claims 10-12 depend on claim 3, claims 13-15 depend on claim 1. Accordingly, it is respectfully submitted that claims 10-15 are patentable in view of the cited references.

Claim 16 is directed to a method of executing an application, and contains features similar to those of claim 1. According to claim 16, at the server, the initial (subsequent) server component portion is loaded into the memory of the server and then executed. None of the cited references taken alone or combination thereof suggests or teaches the subject matter defined by claim 16. Claims 17-19 depend on claim 16. Claim 20 is directed to a system for executing an application, and corresponds to claim 16. Claims 21-23 depend on claim 20. Hence it is respectfully submitted that claims 16-23 are patentable in view of the cited references.

In view of the above amendments and remarks, and having dealt with all the objections raised by the Examiner, reconsideration and allowance of the application is courteously requested.

If any additional fees are required by this communication, please charge any such fees to our Deposit Account No. 16-0820, Order No. 33263US1.

Respectfully Submitted,
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